

March 22, 2019

Via ECF

Hon. Katherine Polk Failla
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: Request for Conference with the Magistrate Judge in *Marcelino v. 374 Food, Inc. et al.*, 16-Civ-06287

Judge Failla:

I write on behalf of both Plaintiff and Defense counsel as we have recently discussed whether we might be able to reach a mutually agreed resolution to this matter or submit a joint statement regarding how we believe the Court might proceed, including resolving Defendants' pending motion to disqualify Plaintiff's counsel and Defendants' anticipated motion for sanctions.

Counsel believe that this discussion would be facilitated by a third-party, and thus request that a Magistrate Judge be assigned to conduct the discussions. In light of the parties' joint request here, Defendants agree to withdraw their March 19, 2019 request for a pre-motion conference without prejudice to renewal.

While our preference is for assignment to a Magistrate Judge, we are aware that the Court has limited resources. In the alternative, we would welcome the help of the Court's ADR Program. In addition, should the Court find that such an assignment is not feasible at this time, we will endeavor to find a third-party mediator and submit a joint status report by April 30, 2019.

On behalf of Plaintiff's counsel and Defendants, we thank you for consideration of this request.

Sincerely,
/s/ Brian Lehman
Brian Lehman
Lehman LG LLC
244 5th Ave., B258
New York, NY 10001

Counsel for Defendants
cc: all counsel by ECF